

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference AS/PG4715 WO	FOR FURTHER ACTION <small>see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.</small>	
International application No. PCT/GB 03/ 01595	International filing date (day/month/year) 10/04/2003	(Earliest) Priority Date (day/month/year) 13/04/2002
Applicant GLAXO GROUP LIMITED		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.
☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the title,

- ☐ the text is approved as submitted by the applicant.
- ☒ the text has been established by this Authority to read as follows:

DRY POWDER INHALANT COMPOSITION

5. With regard to the abstract,

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. _____

- ☐ as suggested by the applicant. ☐ None of the figures.
- ☐ because the applicant failed to suggest a figure.
- ☐ because this figure better characterizes the invention.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 03/01595

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K9/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

PAJ, CHEM ABS Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 02 15876 A (QUADRANT HEALTHCARE) 28 February 2002 (2002-02-28) claims	1-30
A	EP 0 416 951 A (GLAXO) 13 March 1991 (1991-03-13) cited in the application claims	1-30
A	WO 99 33853 A (QUADRANT HOLDINGSCAMBRIDGE) 8 July 1999 (1999-07-08) cited in the application claims	1-30
A,P	WO 02 43750 A (BATTELLE MEMORIAL INSTITUTE) 6 June 2002 (2002-06-06) claims	1-30

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

15 July 2003

Date of mailing of the international search report

23/07/2003

Name and mailing address of the ISA

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Scarponi, U

INTERNATIONAL SEARCH REPORT

International application No.
PCT/GB 03/01595

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

Although claim 12 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 03/01595

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 0215876	A	28-02-2002	AU 7862201 A WO 0215876 A2	04-03-2002 28-02-2002
EP 416951	A	13-03-1991	AT 99941 T BE 1003053 A3 CA 2024916 A1 CH 680983 A5 CY 1817 A DE 69005951 D1 DE 69005951 T2 DK 416951 T3 EP 0416951 A1 ES 2062392 T3 FR 2651677 A1 GB 2235627 A , B HK 18695 A HU 9500150 A3 IE 903256 A1 IL 95590 A IT 1241996 B JP 3042867 B2 JP 3167120 A LU 90392 A9 LV 5735 A4 NZ 235221 A PH 27594 A SG 166294 G US 5270305 A ZA 9007136 A AU 640682 B2 AU 6226290 A	15-01-1994 05-11-1991 09-03-1991 31-12-1992 20-10-1995 24-02-1994 26-05-1994 14-02-1994 13-03-1991 16-12-1994 15-03-1991 13-03-1991 17-02-1995 28-08-1995 13-03-1991 18-06-1996 02-02-1994 22-05-2000 19-07-1991 28-06-1999 20-06-1996 25-11-1992 31-08-1993 16-06-1995 14-12-1993 26-06-1991 02-09-1993 26-04-1991
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WO 0243750	A	06-06-2002	AU 3664102 A AU 4163902 A WO 0243695 A2 WO 0243750 A2 US 2002102218 A1 US 2002110524 A1	11-06-2002 11-06-2002 06-06-2002 06-06-2002 01-08-2002 15-08-2002